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8 **BACKWEB TECHNOLOGIES, LTD.**
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10 UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13 BACKWEB TECHNOLOGIES, LTD.,

14 Plaintiff,

15 v.

16 MICROSOFT CORPORATION;
17 IANYWHERE SOLUTIONS, INC.; and
SYBASE, INC.
18

19 Defendants.
20
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Case No. CV 09-1224 CW

**STIPULATED MOTION TO RESET
INITIAL CASE MANAGEMENT
CONFERENCE AND ORDER AS
MODIFIED**

22 Pursuant to stipulation by and between the parties hereto, plaintiff BackWeb
23 Technologies, Ltd. ("BackWeb") and defendants Microsoft Corporation ("Microsoft");
24 iAnywhere Solutions, Inc. ("iAnywhere"); and Sybase, Inc. ("Sybase"), through their
25 respective attorneys of record, hereby request that the Initial Case Management Conference
26 now scheduled for August 4, 2009 be rescheduled to September 8, 2009, subject to the Court's
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1 schedule and availability.

2 Plaintiff has filed a stipulated motion to file a second amended complaint, adding as
3 defendant Symantec Corporation ("Symantec"). That motion has not yet been ruled upon. As
4 a result, the proposed new defendant will likely not have been served with the new complaint
5 until after the current date for the Case Management Conference, August 4. The proposed
6 defendant will also not yet have litigation counsel for this matter.

7 Accordingly, should the Court grant leave to amend the complaint, the rescheduled
8 date will provide the newly-added defendants time to prepare for and fully participate in the
9 Case Management Conference. In the event the Court denies the motion to amend, the case
10 can move forward with only a brief delay of one month. Thus, the parties request that the date
11 for the Case Management Conference should be rescheduled for September 8, 2009, or as
12 soon thereafter as is convenient for the Court.
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14 Dated: July 9, 2009

Respectfully submitted,

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17 /s/ George F. Bishop
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*Attorneys for Defendants
Sybase, Inc. and iAnywhere Solutions, Inc.*

CERTIFICATION PURSUANT TO GENERAL ORDER 45

Pursuant to General Order 45X.B, I, George F. Bishop, attest that the above
signatories for the Defendants have concurred and consented to the filing of this document.

DATED: July 9, 2009

/s/George F. Bishop
George F. Bishop

PURSUANT TO STIPULATION IT IS ORDERED THAT

The Case Management Conference is rescheduled to **September 15, 2009, at 2:00 p.m.**



7/21/09

Dated: _____

Honorable Claudia Wilken
U.S. DISTRICT COURT JUDGE